

Decision 14-04-001 April 3, 2014

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Adopt  
Biomethane Standards and Requirements,  
Pipeline Open Access Rules, and Related  
Enforcement Provisions.

Rulemaking 13-02-008  
(Filed February 13, 2013)

**ORDER CORRECTING ERRORS AND MODIFYING DECISION 14-01-034**

**1. Summary**

Pursuant to Resolution A-4661 and Rule 16.5 of the Commission's Rules of Practice and Procedure, today's order modifies Decision (D.) 14-01-034 to correct some errors that were brought to the attention of the California Public Utilities Commission (Commission). The three proposed changes to D.14-01-034 are adopted.

**2. Background**

In the February 26, 2014 letter to the Commission's Executive Director, the utilities (Southern California Gas Company, San Diego Gas & Electric Company, Pacific Gas and Electric Company, and Southwest Gas Corporation) request that corrections to errors identified in D.14-01-034 be made pursuant to Rule 16.5 of the Commission's Rules of Practice and Procedure.<sup>1</sup> A copy of the letter is attached to this order as Appendix A. Rule 16.5 was adopted as a result of Resolution A-4661, which authorizes the Executive Director to sign "orders

---

<sup>1</sup> Rule 16.5 provides that "Correction of obvious typographical errors or omissions in Commission's decision may be requested by letter to the Executive Director, with a copy sent at the same time to all parties to the proceeding."

involving the correction of typographical and clerical errors, and other obvious, inadvertent errors and omissions in the decisions and orders of the Commission.”

The utilities request that three corrections be made to D.14-01-034. The utilities suggest in their letter that the corrections to the decision be made because they amount to obvious typographical errors or omissions. According to the letter, these three corrections are needed because of “discrepancies between the Decision and the California Air Resources Board’s (CARB) and Office of Environmental Health Hazard Assessment’s (OEHHA) Recommendations to the Commission Regarding Health Protective Standards for the Injection of Biomethane into the Common Carrier Pipeline’ (Joint Report), adopted by the Commission per Ordering Paragraph 2 of the Decision.”<sup>2</sup>

The utilities request that the following changes be made:

1. The Decision at page 82 requires that, after being shut-off, the biomethane interconnector “meet the trigger level” before it can resume operation. The Joint Report, however, recommends at page 68 that the biomethane interconnector demonstrate that the biomethane is below the “lower action level” before it can resume operation. The Utilities request that the Decision be revised to clarify that the biomethane interconnector is required to bring the biomethane “below the lower action level” before it can resume operation.
2. The Decision at page 100 requires that the total health risk be “eliminated” when constituents are above the trigger level. The Joint Report, however, recommends at page 67 that the total health risk be “estimated” when constituents are above the trigger level. The Utilities request that “eliminated” be changed to “estimated.”
3. The Decision at page 16 provides a chart from the Joint Report which requires the testing of p-Dichlorobenzene for dairy biomethane. The

---

<sup>2</sup> The Joint Report was admitted into evidence in this proceeding as Exhibit 1.

Joint Report, however, was subject to a May 23, 2013 errata, which revised the Joint Report and provided that p-Dichlorobenzene testing should be required for sewage treatment plants, rather than dairies. The Utilities request that the Decision be revised to require p-Dichlorobenzene testing for sewage treatment plants, not dairies.<sup>3</sup>

No one has objected to the corrections sought by the utilities.

### **3. Discussion**

The utilities' proposed changes have been reviewed and compared to what appears in D.14-01-034, and what appears in the Joint Report. From that comparison, it is clear that the three changes the utilities are requesting involve obvious typographical errors or omissions that should be corrected pursuant to Rule 16.5 of the Rules of Practice and Procedure and Resolution A-4661.

Accordingly, the following modifications to D.14-01-034 should be made pursuant to Resolution A-4661.

First, the following sentence that appears at page 82 of D.14-01-034 should be modified: "Afterwards, if a constituent exceeds the lower action level concentration three times within a 12-month period, the biomethane supplier will be shut-off and will be required to repair its biogas processing facility until the biomethane meets the trigger level." That sentence should be modified to read as follows: "Afterwards, if a constituent exceeds the lower action level concentration three times within a 12-month period, the biomethane supplier will be shut-off and will be required to repair its biogas processing facility until the biomethane is below the lower action level."

Second, the following sentence that appears at page 100 of D.14-01-034 should be modified: "Any constituents of concern found at or above the trigger level for that constituent of concern (i.e., group 2 compounds) should be

---

<sup>3</sup> These three proposed corrections in the February 26, 2014 letter also reference various footnotes wherein the language from the Joint Report and D.14-01-024 are cited. Those footnotes can be viewed in Appendix A of this decision.

monitored quarterly (at least once every 3 months of injection into the common carrier pipeline) and the total potential cancer risk and non-cancer risk eliminated.” That sentence should be modified to read as follows: “Any constituents of concern found at or above the trigger level for that constituent of concern (i.e., group 2 compounds) should be monitored quarterly (at least once every 3 months of injection into the common carrier pipeline) and the total potential cancer risk and non-cancer risk estimated.”

Third, the chart appearing at page 17 of D.14-01-034 that references p-Dichlorobenzene, should be modified by requiring testing of p-Dichlorobenzene at landfills and sewage treatment plants, instead of at landfills and dairies.<sup>4</sup>

We also note that the chart at pages 16 and 17 of D.14-01-034 quoted the following statement that appeared in the Joint Report at page 2: “All 12 constituents of concern were present in landfill biogas, 6 were present in dairy biogas and 5 in POTW biogas.” (*Emphasis added.*) With the change in where p-Dichlorobenzene should be tested, as a result of the May 23, 2013 errata, that sentence should have been revised in the Joint Report to the following: “All 12 constituents of concern were present in landfill biogas, 5 were present in dairy biogas and 6 in POTW biogas.” However, since that statement was not revised in the May 23, 2013 errata to the Joint Report, that existing statement in D.14-01-034 will not be changed in this decision.

This proceeding remains open to consider the cost issues associated with the actions adopted in D.14-01-034.

---

<sup>4</sup> As noted in footnote 8 of D.14-01-034, sewage treatment plants are referred to in that decision and in the Joint Report as publicly owned treatment works or POTWs.

#### **4. Findings of Fact**

1. In the February 26, 2014 letter to the Commission's Executive Director, the utilities request that three corrections be made to D.14-01-034.
2. No one has objected to the corrections sought by the utilities.
3. The proposed changes have been reviewed and compared to what appears in D.14-01-034, and what appears in the Joint Report.

#### **5. Conclusions of Law**

1. The three changes that the utilities are requesting involve obvious typographical errors or omissions that should be corrected pursuant to Rule 16.5 and Resolution A-4661.
2. The three modifications to D.14-01-034, as described in the "Discussion" section of this decision, should be adopted.

### **O R D E R**

1. The three modifications requested in the February 26, 2014 letter, a copy of which is attached as Appendix A to this decision, are granted pursuant to Resolution A-4661 and Rule 16.5 of the Rules of Practice and Procedure, and Decision 14-01-034 shall be modified as set forth below.

2. The sentence described in this decision, which appears at page 82 of Decision 14-01-034, shall be replaced by the following sentence: "Afterwards, if a constituent exceeds the lower action level concentration three times within a 12-month period, the biomethane supplier will be shutoff and will be required to repair its biogas processing facility until the biomethane is below the lower action level."

3. The sentence described in this decision, which appears at page 100 of Decision 14-01-034, shall be replaced by the following sentence: "Any constituents of concern found at or above the trigger level for that constituent of concern (i.e., group 2 compounds) should be monitored quarterly (at least once

every three months of injection into the common carrier pipeline) and the total potential cancer risk and non-cancer risk estimated.”

4. The chart appearing at page 17 of Decision 14-01-034 that references p-Dichlorobenzene shall be modified by requiring testing of p-Dichlorobenzene at landfills and at sewage treatment plants, instead of at landfills and dairies.

Rulemaking 13-02-008 remains open.

This order is effective today.

Dated April 3, 2014, at San Francisco, California.

/s/ PAUL CLANON

PAUL CLANON  
Executive Director